



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,086	07/03/2003	Hideya Takeo	Q75903	5847
23373	7590	11/05/2004	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			MEKY, MOUSTAFA M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/612,086	TAKEO ET AL.	
	Examiner	Art Unit	
	Moustafa M Meky	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 10-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 10-14 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/3/2003</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

1. Claims 10-14 are presenting for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Hunt (US Pat. No. 5,764,235).
4. As to claim 10, Hunt shows in Figs 1A & 1B, an image data transmission system comprising:
 - * an image server (102) storing image data , see col 2, lines 35-37, col 3, lines 17-18, col 4, lines 63-67, col 5, lines 1-2;
 - a terminal (104) coupled to the image server 102, see col 5, lines 2-3;
 - an image obtaining module (not shown in the Figs) within the client 104, configured to obtain content information (image control data) regarding image data to be transmitted, see col 2, lines 37-43, col 3, lines 3-4, lines 14-17, col 5, lines 20-29, col 12, lines 44-51; and
 - a data transfer module (not shown in the Figs) within the server 102 configured to transfer to the terminal 104 the image data at a level of resolution and density based on the content information (image control data), see col 2, lines 37-43, col 3, lines 4-10, lines 17-22.

Art Unit: 2157

5. As to claim 11, Hunt shows that the content information (image control data) comprises the complexity of the image , such that image data at a higher resolution and density are transferred, see col 3, lines 52-55, lines 58-60.

6. As to claim 12, Hunt shows that the content data (image control data) comprises object, such that image data depicting certain pre-determined objects are transferred at a higher resolution and density, see col 3, lines 58-60, col 12, lines 20-24.

7. As to claim 13, Hunt shows that image data are stored at a high level of resolution and density and if the system determines based on at least one of the content information (image control data) that image data at a lower level of resolution and density are to be transferred, then image data are converted prior to transfer to the terminal 104, see col 2, lines 35-42 (notice that the image data being stored on the server and having image size that is equal or more than the requested image i.e the image data are stored at a high level of resolution and the requested data of lower or equal resolution).

8. As to claim 14, Hunt shows that image data are stored at a high level of resolution and density and if the system determines based on at least one of the content information (image control data) that image data at a lower level of resolution and density are to be transferred, then image data are converted prior to transfer to the terminal 104, see col 2, lines 35-42 (notice that the image data being stored on the server and having image size that is equal or more than the requested image i.e the image data are stored at a high level of resolution and the requested data of lower or equal resolution).

Art Unit: 2157

Therefore, it can be seen from paragraphs 4-8 that Hunt anticipates claims 10-14.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M Meky whose telephone number is 571-272-4005. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MMM
11/01/2004


MOUSTAFA M. MEKY
PRIMARY EXAMINER